

**EXHIBIT "7"**

**John Worgul**

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**From:** John Worgul  
**Sent:** Thursday, March 02, 2017 11:04 AM  
**To:** 'Samantha Wolff'; Victor Otten; Richard P. Dieffenbach; Ann D. Ghiorso; Kurt A. Franklin  
**Cc:** Cooper, Robert S.; Rob Mackey; John E. Stobart; Sabrina Gridley  
**Subject:** RE: Spencer, et al. v. Lunada Bay Boys, et al.  
Ms. Wolff and Co-counsel:

Thank you for making yourself available as well as your prompt attention to my request. We will let the Court know that we will take the 11 AM slot for the hearing. The issues are very simple. They are just about the non-compliance with Court's orders.

Sincerely,

John P. Worgul, Esq.  
Associate Attorney  
Veatch Carlson, LLP  
1055 Wilshire Boulevard, 11th Floor  
Los Angeles, CA 90017  
(213) 381-2861 Office  
(213) 383-6370 Fax

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**From:** Samantha Wolff [mailto:[SWolff@hansonbridgett.com](mailto:SWolff@hansonbridgett.com)]  
**Sent:** Thursday, March 02, 2017 10:45 AM  
**To:** Victor Otten; John Worgul; Richard P. Dieffenbach; Ann D. Ghiorso; Kurt A. Franklin  
**Cc:** Cooper, Robert S.; Rob Mackey; John E. Stobart; Sabrina Gridley  
**Subject:** RE: Spencer, et al. v. Lunada Bay Boys, et al.

John,

If you believe it is necessary to go forward with the call with the Magistrate tomorrow, Kurt and/or I can be back up for Vic if he is not able to make the call at 11 (though as Vic has said, he's the point person on the discovery responses so Kurt and I will have limited familiarity). That said, I think it may be best to wait and have a call early next week if necessary. That will give you time to review the revised responses and will also allow Bob and I time to work through your client's response to the interrogatory.

Let us know your preference.

Thanks,  
Samantha

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**From:** Victor Otten [mailto:[vic@ottenlawpc.com](mailto:vic@ottenlawpc.com)]  
**Sent:** Thursday, March 2, 2017 10:07 AM  
**To:** John Worgul <[JWorgul@veatchfirm.com](mailto:JWorgul@veatchfirm.com)>; Richard P. Dieffenbach <[RDieffenbach@veatchfirm.com](mailto:RDieffenbach@veatchfirm.com)>; Ann D. Ghiorso <[aghiorso@hansonbridgett.com](mailto:aghiorso@hansonbridgett.com)>; Kurt A. Franklin <[kfranklin@hansonbridgett.com](mailto:kfranklin@hansonbridgett.com)>; Samantha Wolff

<SWolff@hansonbridgett.com>

**Cc:** Cooper, Robert S. <rcooper@buchalter.com>; Rob Mackey <RMackey@veatchfirm.com>; John E. Stobart <JStobart@veatchfirm.com>; Sabrina Gridley <SGridley@veatchfirm.com>  
**Subject:** RE: Spencer, et al. v. Lunada Bay Boys, et al.

I am in court in the morning and cannot commit to any of those times. There is a chance the 11:00 a.m. hearing is possible but I cannot commit to it. As there is no reason to force a hearing tomorrow, I would suggest picking a date next week.

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**From:** John Worgul [mailto:[JWorgul@veatchfirm.com](mailto:JWorgul@veatchfirm.com)]

**Sent:** Thursday, March 02, 2017 10:03 AM

**To:** John Worgul <[JWorgul@veatchfirm.com](mailto:JWorgul@veatchfirm.com)>; Victor Otten <[vic@ottenlawpc.com](mailto:vic@ottenlawpc.com)>; Richard P. Dieffenbach <[RDieffenbach@veatchfirm.com](mailto:RDieffenbach@veatchfirm.com)>; Ann D. Ghiorso <[aghiorso@hansonbridgett.com](mailto:aghiorso@hansonbridgett.com)>; Kurt A. Franklin <[kfranklin@hansonbridgett.com](mailto:kfranklin@hansonbridgett.com)>; Samantha Wolff <[SWolff@hansonbridgett.com](mailto:SWolff@hansonbridgett.com)>

**Cc:** Cooper, Robert S. <[rcooper@buchalter.com](mailto:rcooper@buchalter.com)>; Rob Mackey <[RMackey@veatchfirm.com](mailto:RMackey@veatchfirm.com)>; John E. Stobart <[JStobart@veatchfirm.com](mailto:JStobart@veatchfirm.com)>; Sabrina Gridley <[SGridley@veatchfirm.com](mailto:SGridley@veatchfirm.com)>

**Subject:** RE: Spencer, et al. v. Lunada Bay Boys, et al.

Mr. Otten and Co-counsel:

We have received a call from Ms. Roberson, the clerk for Judge Oliver. She has more definite times for a hearing. They are as follows:

Friday March 3, 2017

10:00 a.m.

10:30 a.m.

11:00 a.m.

Ms. Roberson has requested we contact the Court immediately to reserve one of these dates. Please let us know without delay if we can reserve one of these times.

Sincerely,

John P. Worgul, Esq.  
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1055 Wilshire Boulevard, 11th Floor  
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**From:** John Worgul

**Sent:** Thursday, March 02, 2017 9:07 AM

**To:** 'Victor Otten'; Richard P. Dieffenbach; Ann D. Ghiorso; Kurt A. Franklin; Samantha Wolff

**Cc:** Cooper, Robert S.; Rob Mackey; John E. Stobart; Sabrina Gridley

**Subject:** RE: Spencer, et al. v. Lunada Bay Boys, et al.

Mr. Otten and Co-counsel:

The Court has informed us they no longer have 2:00 PM available on Friday. This morning they indicated they will have availability for a hearing between 10 AM and Noon tomorrow. There are additional cases though that may take this time slot. Please advise me without delay if Plaintiff's counsel will agree to a hearing being set between 10 AM and noon tomorrow.

Sincerely,

John P. Worgul, Esq.  
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**From:** Victor Otten [<mailto:vic@ottenlawpc.com>]

**Sent:** Wednesday, March 01, 2017 4:12 PM

**To:** John Worgul; Richard P. Dieffenbach; Ann D. Ghiorso; Kurt A. Franklin; Samantha Wolff

**Cc:** Cooper, Robert S.; Rob Mackey; John E. Stobart; Sabrina Gridley

**Subject:** RE: Spencer, et al. v. Lunada Bay Boys, et al.

John,

I am available for a 2:00 PM telephonic hearing on Friday with the Court should we not be able to resolve these issues.

Victor Otten, Esq.

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**From:** John Worgul [<mailto:JWorgul@veatchfirm.com>]

**Sent:** Tuesday, February 28, 2017 4:25 PM

**To:** Victor Otten <[vic@ottenlawpc.com](mailto:vic@ottenlawpc.com)>; Richard P. Dieffenbach <[RDieffenbach@veatchfirm.com](mailto:RDieffenbach@veatchfirm.com)>; Ann D. Ghiorso <[aghiorso@hansonbridgett.com](mailto:aghiorso@hansonbridgett.com)>; Kurt A. Franklin <[kfranklin@hansonbridgett.com](mailto:kfranklin@hansonbridgett.com)>; Samantha Wolff <[SWolff@hansonbridgett.com](mailto:SWolff@hansonbridgett.com)>

**Cc:** Cooper, Robert S. <[rcooper@buchalter.com](mailto:rcooper@buchalter.com)>; Rob Mackey <[RMackey@veatchfirm.com](mailto:RMackey@veatchfirm.com)>; John E. Stobart <[JStobart@veatchfirm.com](mailto:JStobart@veatchfirm.com)>; Sabrina Gridley <[SGridley@veatchfirm.com](mailto:SGridley@veatchfirm.com)>

**Subject:** RE: Spencer, et al. v. Lunada Bay Boys, et al.

Mr. Otten and Co-counsel:

If we receive any revised responses we will review them to determine if a dispute still exists but to avoid Court intervention this process should not be delayed. We were entitled to this information last Friday and this information was the subject of a heated debate at the hearing on January 25, 2017. I do not understand the reason the Court's orders are not being followed and this is not the first occasions where the Plaintiffs have not followed the Court's orders.

I would like to set the 2:00 PM Friday hearing date with the Court. Based on the below email it is unclear if I can set the hearing. That is the only time the Court provided this week as being available. There are no times available during the lunch hour or otherwise. I would prefer to have this time set but the Court requires first that I affirm that counsel from each side are available for the telephonic hearing.

I understand that there are three lead counsel and likely associates that could handle such appearances for the Plaintiffs. Will there be a representative available for the Plaintiffs at 2:00 PM this Friday for a hearing if Mr. Otten is engaged?

Please let me know if I can reserve this time with the Court on Friday. If not we will proceed accordingly.

Sincerely,

John P. Worgul, Esq.  
Associate Attorney  
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**From:** Victor Otten [<mailto:vic@ottenlawpc.com>]  
**Sent:** Tuesday, February 28, 2017 4:10 PM  
**To:** John Worgul; Richard P. Dieffenbach; Ann D. Ghiorso; Kurt A. Franklin; Samantha Wolff  
**Cc:** Cooper, Robert S.; Rob Mackey; John E. Stobart; Sabrina Gridley  
**Subject:** RE: Spencer, et al. v. Lunada Bay Boys, et al.

Mr. Worgul,

I have reviewed the order and agree Plaintiffs agree to address the deficiencies in the responses. We will serve the revised discovery responses before Friday. You can certainly set a date/time with the Magistrate so that it is available in the event that you have any problems with our revised responses, and also because we would like to address Mr. Blakeman's response to Plaintiffs' interrogatory requesting his telephone number (Samantha emailed you about this yesterday). I am starting a jury trial tomorrow in Torrance so my availability for a for a telephonic hearing on Friday at 2:00 PM is questionable. Should my case not proceed to trial, that time will work but I am told that it is starting. In that case, anytime next week during the lunch hours of 12:00-1:30.

Thanks,  
Vic

Victor Otten, Esq.

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**From:** John Worgul [<mailto:JWorgul@veatchfirm.com>]  
**Sent:** Tuesday, February 28, 2017 2:21 PM  
**To:** Victor Otten <[vic@ottenlawpc.com](mailto:vic@ottenlawpc.com)>; Richard P. Dieffenbach <[RDieffenbach@veatchfirm.com](mailto:RDieffenbach@veatchfirm.com)>; Ann D. Ghiorso <[aghiorso@hansonbridgett.com](mailto:aghiorso@hansonbridgett.com)>; Kurt A. Franklin <[kfranklin@hansonbridgett.com](mailto:kfranklin@hansonbridgett.com)>; Samantha Wolff <[SWolff@hansonbridgett.com](mailto:SWolff@hansonbridgett.com)>  
**Cc:** Cooper, Robert S. <[rcooper@buchalter.com](mailto:rcooper@buchalter.com)>; Rob Mackey <[RMackey@veatchfirm.com](mailto:RMackey@veatchfirm.com)>; John E. Stobart <[JStobart@veatchfirm.com](mailto:JStobart@veatchfirm.com)>; Sabrina Gridley <[SGridley@veatchfirm.com](mailto:SGridley@veatchfirm.com)>  
**Subject:** RE: Spencer, et al. v. Lunada Bay Boys, et al.

Mr. Otten:

As you are aware Mr. Dieffenbach and I work on this case together. I also issued a letter to you and your co-counsel yesterday morning. As you are likely aware, you already violated the Order by not providing information electronically on February 24, 2017.

As you should be aware the Court's order, among other things, also required the following:

A. Interrogatory Nos. 1 through 12

Plaintiffs are ordered to identify witnesses in response to Interrogatory Numbers 1 through 12. For each interrogatory, Plaintiffs shall identify the responsive witnesses by name. For each witness, Plaintiffs shall specify whether that witness is represented by Plaintiffs' counsel, or, if Plaintiffs know, by other counsel. For each witness, Plaintiffs shall provide contact information for that witness or state unambiguously that Plaintiffs do not have contact information for that witness.

Defendant's motion is denied at this time to the extent it requests further responses to the interrogatories beyond what the Court has provided in this order.

Plaintiffs appear to not comply with nearly every directive of the Court's order.

First each witness is not identified by name. Plaintiffs' maintain the statements after the objections that:

Subject to and without waiver of the foregoing objections, Responding Party responds as follows:

**In addition to each defendant named in his individual capacity and other persons identified in Plaintiffs' initial and Supplemental Disclosures, and the evidence**

submitted in support of Plaintiffs motion for class certification, Responding Party identifies the following individuals:

Identifying "Defendants" and "persons identified in Plaintiffs' initial and Supplemental disclosures" is not providing names.

Second, of the names identified in the responses not one person's contact information is provided in the response.

Third, there is no statement related to any witness, even those not indicated to be represented by counsel, if Plaintiffs do not have contact information.

There appears to be no excuse for failing to comply with the Court's order . While we appreciate Hanson Bridget's representation of such witnesses and will work with them to avoid serving subpoenas on represented persons the representation of such witnesses does not excuse compliance with the Court order or providing contact information that can be used to subpoena persons, documents and things for deposition and trial.

Therefore we desire to redress with the Court regarding the Interrogatory response.

Additionally the response to the Document Production appears deficient. Specifically the responses to Production Requests Numbers 3, 4, and 5 are deficient. Each response has statement that "[r]esponding party will produce responsive documents in within its possession, custody, and control. " The Court order provided the following though:

Plaintiffs are ordered to produce all responsive documents in their possession, custody or control to Document Requests Nos. 1 through 9 by **February 24, 2017**. Also by February 24, 2017, for each request, **Plaintiffs shall provide bates number ranges or otherwise identify with particularity the documents that are responsive to that request, including any documents that may have already been produced to Defendant.** For each request, if Plaintiffs are withholding any responsive documents, Plaintiffs shall assert the objections pursuant to which Plaintiffs are withholding those documents. Plaintiffs shall provide a privilege log for any documents they are withholding based on privilege. Plaintiffs shall serve their supplemental responses to the interrogatories and document requests electronically

There is no identification of documents related to the responses to Request 3, 4, and 5. If there are documents they should be identified. If there are no documents than there should be statement indicating there are no documents responsive to the request.

As to the other responses certain documents are not identified. The Phone records by Alan Johnston are paginated and each entry contains a number, yet Plaintiffs merely state to see the phone records. The records produced by Sang Lee are apparently voluminous and Bates Stamped, yet no there is no indication of the Bates Stamped Numbers that are responsive to the request.

As to every request there are objections that state privileges. We are unaware if there are any documents being withheld. If there are any then a privilege log is required. I am unaware of a privilege log being provided by plaintiffs.

Therefore we desire to redress with the Court regarding the Request for Production responses.

Please advise today if any of Plaintiffs' counsels are available for a telephonic hearing on Friday at 2:00 PM so we may reserve it with the Court. If Plaintiffs are unwilling to voluntarily appear for a telephonic conference please also advise us so we can act appropriately to enforce the Court's order.

Sincerely,

John P. Worgul, Esq.  
Associate Attorney  
Veatch Carlson, LLP  
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Los Angeles, CA 90017  
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**From:** Victor Otten [<mailto:vic@ottenlawpc.com>]  
**Sent:** Monday, February 27, 2017 2:38 PM  
**To:** Richard P. Dieffenbach; Ann D. Ghiorso; Kurt A. Franklin; Samantha Wolff  
**Cc:** Cooper, Robert S.; John Worgul; Rob Mackey; John E. Stobart; Sabrina Gridley  
**Subject:** RE: Spencer, et al. v. Lunada Bay Boys, et al.

Richard,

We are confused regarding your statements regarding witness contact information. We informed you previously and the discovery responses state that we represent C. Taloa, C. Claypool, K. Claypool, G. Hagins, J. Wright, Jason Gersch and J. McHarg. Regarding any other witnesses, I believe we have provided you any contact information that we have. What witnesses are you referring to?

We served a supplemental response to your document request. I am setting up a Hightail account so that you will be able to download documents today.

Vic

Victor Otten, Esq.

**OTTEN LAW, PC**

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**From:** Richard P. Dieffenbach [<mailto:RDieffenbach@veatchfirm.com>]  
**Sent:** Monday, February 27, 2017 1:53 PM  
**To:** Ann D. Ghiorso <[aghiorso@hansonbridgett.com](mailto:aghiorso@hansonbridgett.com)>; Kurt A. Franklin <[kfranklin@hansonbridgett.com](mailto:kfranklin@hansonbridgett.com)>;  
Samantha Wolff <[SWolff@hansonbridgett.com](mailto:SWolff@hansonbridgett.com)>; Victor Otten <[vic@ottenlawpc.com](mailto:vic@ottenlawpc.com)>  
**Cc:** Cooper, Robert S. <[rcooper@buchalter.com](mailto:rcooper@buchalter.com)>; John Worgul <[JWorgul@veatchfirm.com](mailto:JWorgul@veatchfirm.com)>; Rob Mackey  
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<[SGridley@veatchfirm.com](mailto:SGridley@veatchfirm.com)>

**Subject:** RE: Spencer, et al. v. Lunada Bay Boys, et al.

In reviewing the responses to discovery we see that no contact information has been provided and no response to the requests for production are provided, and the Reed interrogatories responses are not verified. In other words the responses are non-compliant with the court's order. We have asked the court for availability for a telephonic conference with the Magistrate Judge on this issue and the court has offered:

Tuesday, Feb 28, 2017 @ 2:00 p.m.

Friday, March 3, 2017 @ 2:00 p.m.

Please let us know which date fits your schedule and we will set up the conference with the court. Thank you.

Please coordinate with Mr. Worgul and his secretary Sabrina Gridley.

Richard Dieffenbach  
Veatch Carlson LLP  
213-38102861

---

**From:** Ann D. Ghiorso [mailto:[aghiorso@hansonbridgett.com](mailto:aghiorso@hansonbridgett.com)]

**Sent:** Monday, February 27, 2017 9:38 AM

**To:** Rob Mackey; Peter Crossin; Richard P. Dieffenbach; John Worgul; John E. Stobart

**Cc:** Kurt A. Franklin; Samantha Wolff; Victor Otten ([vic@ottenlawpc.com](mailto:vic@ottenlawpc.com))

**Subject:** Spencer, et al. v. Lunada Bay Boys, et al.

Pursuant to Kurt Franklin's request, we are providing a courtesy copy of the discovery responses which were mailed by our co-counsel. Thank you.

~~Ann D. Ghiorso  
*Legal Secretary to Kurt A. Franklin*

---

**Ann D. Ghiorso**  
Legal Secretary  
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